

Mr. CORNYN. Mr. President, I ask for our colleagues to vote no on the motion to instruct, unless you happen to believe that 2 percent and below growth is the new normal for the American economy, and we have nowhere to go but down as a country; that people don't react to incentives to keep more of what they earn and businesses invest more in jobs and in pay that people can take home and spend to enhance their standard of living; and unless you are satisfied with the fact that companies are incentivized to keep earnings abroad and not bring them back home and invest in pay and jobs here in America. If you believe there is no better, brighter future for the American people, yes, vote for the King motion to instruct.

If you believe we can and will do better under this bill, vote no.

Mr. SASSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 307 Leg.]

YEAS—48

Table with 3 columns of names: Baldwin, Bennet, Blumenthal, Booker, Brown, Cantwell, Cardin, Carper, Casey, Coons, Corker, Cortez Masto, Donnelly, Duckworth, Durbin, Feinstein, Gillibrand, Harris, Hassan, Heinrich, Heitkamp, Hirono, Kaine, King, Klobuchar, Leahy, Manchin, Markey, McCaskill, Menendez, Merkley, Murray, Nelson, Peters, Reed, Sanders, Schatz, Schumer, Shaheen, Stabenow, Tester, Udall, Van Hollen, Warner, Warren, Whitehouse, Wyden.

NAYS—50

Table with 3 columns of names: Barrasso, Blunt, Boozman, Burr, Capito, Cassidy, Cochran, Collins, Cornyn, Cotton, Crapo, Cruz, Daines, Enzi, Ernst, Fischer, Flake, Gardner, Graham, Grassley, Hatch, Heller, Hoeven, Inhofe, Isakson, Johnson, Kennedy, Lankford, Lee, McCain, McConnell, Moran, Murkowski, Paul, Portman, Risch, Roberts, Rounds, Rubio, Sasse, Scott, Shelby, Strange, Sullivan, Thune, Tillis, Toomey, Wicker, Young.

NOT VOTING—2

Alexander Franken

The motion was rejected.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Michigan.

MOTION TO INSTRUCT

Ms. STABENOW. Mr. President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Michigan [Ms. STABENOW] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the bill H.R. 1 be instructed to insist that the final conference report includes a provision causing the corporate tax rate to revert to 35 percent in the event that real average household wages do not increase by at least \$4,000 by 2020 as a result of the enactment of the bill.

Ms. STABENOW. Mr. President, I am making a motion to instruct the conferees with language at the desk to put in place a guarantee that middle-class families will receive the raises my Republican colleagues are promising them. In other words, for people watching all of this, the proof is in your paycheck.

This motion would direct the conference committee for this bill to add a provision that would return the corporate tax rate to its current rate if wages do not increase by at least \$4,000. The President has said they will. Our Republican colleagues—we saw posters all last week saying at least \$4,000; in fact, we have heard as much as \$9,000.

This is important for families because corporate profits are already at record highs and wages are at record lows. If people are really going to get \$4,000 more in their pocket in wage increases, colleagues across the aisle should be willing to vote for this guarantee. The proof is in their paycheck.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Texas.

Mr. CORNYN. Mr. President, the United States has the highest corporate tax rate in the industrialized world. We are simply noncompetitive, which is why businesses are moving out of America, overseas, to lower taxed countries. If our colleagues on the other side of the aisle think that is a good idea, then they ought to vote with the distinguished Senator from Michigan, but we think it is a terrible idea to ship American jobs and American investment overseas.

We happen to agree, by the way, with Barrack Obama's 2011 State of the Union Message as well as the positions taken by the distinguished ranking member of the Senate Finance Committee, Senator WYDEN, and the Democratic leader, Senator SCHUMER. We need to get back in the game, become more competitive, and all Americans will benefit from that.

We urge the Congress to maintain the current competitive corporate rate. I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 308 Leg.]

YEAS—44

Table with 3 columns of names: Baldwin, Bennet, Blumenthal, Booker, Brown, Cantwell, Cardin, Carper, Casey, Coons, Cortez Masto, Duckworth, Durbin, Feinstein, Gillibrand, Harris, Hassan, Heinrich, Hirono, Kaine, King, Klobuchar, Leahy, Markey, McCaskill, Menendez, Merkley, Murphy, Murray, Nelson, Peters, Reed, Sanders, Schatz, Schumer, Shaheen, Stabenow, Tester, Udall, Van Hollen, Warner, Warren, Whitehouse, Wyden.

NAYS—54

Table with 3 columns of names: Barrasso, Blunt, Boozman, Burr, Capito, Cassidy, Cochran, Collins, Corker, Cornyn, Cotton, Crapo, Cruz, Daines, Donnelly, Enzi, Ernst, Fischer, Flake, Gardner, Graham, Grassley, Hatch, Heitkamp, Heller, Hoeven, Inhofe, Isakson, Johnson, Kennedy, Lankford, Lee, Manchin, McCain, McConnell, Moran, Murkowski, Paul, Perdue, Portman, Risch, Roberts, Rounds, Rubio, Sasse, Scott, Shelby, Strange, Sullivan, Thune, Tillis, Toomey, Wicker, Young.

NOT VOTING—2

Alexander Franken

The motion was rejected.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5:10 p.m.

Thereupon, the Senate, at 4:29 p.m., recessed until 5:10 p.m. and reassembled when called to order by the Presiding Officer (Mr. LEE).

TAX CUTS AND JOBS ACT—Continued

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that Senators RUBIO and BOOKER be recognized to make motions to instruct and that their motions be the only motions in order remaining; further, that there be up to 10 minutes of debate on the motions concurrently, and upon the use or yielding back of time on the motions, all remaining time on the House message be expired, and the Senate vote on

the Rubio and Booker motions to instruct in the order listed with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Florida.

MOTION TO INSTRUCT

Mr. RUBIO. Mr. President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed to insist that any conference report shall increase the refundable per-child tax credit to no less than \$2,000 and that the credit be expanded to benefit more low-wage parents.

Mr. RUBIO. Mr. President, this has to do with the child tax credit. We had a debate about it last week. I want to explain to everybody why it is so important that we continue to focus on it. Irrespective of whether we agree with the final outcome and whether the numbers were high enough in the Senate bill—and I continue to believe they were not—they are significantly better than the House position on this matter. I want to explain why.

The loss of the personal exemption hits middle-income families to the tune of about \$600. That has to be made up for. If you add to that the fact that over the last 15 years because of inflation, the value of the child tax credit has declined by over \$300, that leads you to the conclusion that the break-even point for a child tax credit that deals with the middle-income family hit and the erosion of the value of the credit due to inflation brings you to \$1,900. As a result, if you wanted to actually help families be better off than they are today, which is the goal of tax reform, the \$2,000 amount in the Senate bill is basically the break-even point, plus \$100. The House, unfortunately, in their bill only calls for \$1,600.

The first part of this motion to instruct is to ensure that the increase in the child tax credit, to our conferees instructing, be no less. Maybe it is more, but it can be no less than the \$2,000 that is in the Senate bill.

The second part, which was the topic of our debate, is the impact on low-income workers or workers in the lower part of the income scale—firefighters, teachers, police officers, construction workers, welders, home health aides. These are working people, the backbone of our country, the people who have suffered the most over the last 25 or 30 years, as the economy has made some people very profitable but left far too many American workers behind. Their anxieties, their daily concerns, the challenges they are facing really underpin a lot of the anxiety in our country, both electoral, political, and economic. Their primary tax liability is the payroll tax. If you make \$40,000 a

year, the biggest chunk of the taxes you pay is the payroll tax.

By the way, when I hear people say that people making \$40,000 or \$30,000 a year don't pay taxes, they are wrong. They pay taxes. They take money out of your paycheck. They paid a tax. It is irrelevant whether it is a payroll tax or an income tax. Those are taxes. When I hear people say that, it is offensive. Working people across the income scale pay taxes. Unfortunately, that is not recognized in a lot of the debates that are going on here about working people.

One of the things the Senate bill does do is it lowers the threshold upon which the tax credit begins to apply from \$3,000 to \$2,500. Again, not nearly enough, but it is certainly better than the House position. We can't regress on that point.

The second part of this instruction is, it asks the conferees to ensure that the final bill expands benefits so more low-income, low-wage parents and workers will be able to benefit from the child tax credit.

I remain surprised that there is not more consensus to support the reality that we need to do more to help working people in this country, and the child tax credit is one of the best tools to do it. I hope that what comes back from the conference committee is as good as or better than what we put out in the Senate. If it is worse, there are going to be problems.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

MOTION TO INSTRUCT

Mr. BOOKER. Mr. President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. BOOKER] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 1 be instructed to insist that the final conference report does not contain any provisions that would increase the number of individuals who do not have health insurance or increase health insurance premiums.

Mr. BOOKER. Mr. President, my motion to instruct the Senate conferees would simply insist that the final conference report does not increase the number of individuals who do not have health insurance and does not increase health insurance premiums.

It has been stated on this floor by my colleagues on this side of the aisle that this bill is a blow to our deficit, that it is a blow to our budget, and that it is going to hurt families, particularly in States like mine, with the elimination of the State and local tax deductions. We also know that it could be a bill that could literally threaten the lives of Americans as well.

The nonpartisan Congressional Budget Office has said that it will increase premium costs by 10 percent and cause 13 million people to lose their cov-

erage, increase premiums and hurt people.

We know that this bill as it is currently written threatens Americans who rely on Medicaid, including children, people with disabilities, and seniors in nursing homes, because of the bill's potential to impact a State's ability to access funds for its Medicaid Program—again, the State and local tax deductions.

It is also going to possibly trigger cuts to Medicare. Because the bill that passed the Senate would possibly add \$1.5 trillion to the deficit, it could trigger automatic cuts to government programs, including an annual cut of \$25 billion to Medicare. A cut that size will significantly limit Medicare beneficiaries' access to essential health services in everything from cancer screenings to chemotherapy.

I urge my colleagues to support my motion. The Senate conferees must insist that the final conference report of this harmful bill at the very least does not contain any provision that would increase the number of Americans who do not have health insurance or that would increase health premiums for already cash-strapped American citizens.

Thank you.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent to speak for 1 minute in opposition.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, this harkens back to a moment earlier in this debate when the Senator from Oregon, the ranking member of the Finance Committee, described the repeal of the individual mandate as driving a stake through the heart of ObamaCare. Think of what a confession this is by our colleagues on the other side of what a disaster ObamaCare is—that it is dead, that it is done if people are not forced against their wishes to purchase a product that does not suit their families' needs and/or that they cannot afford. What kind of business model—what kind of person?—could possibly justify having to force people to buy its product? This is not only an egregious affront to any sense of personal freedom, but it is proof positive that this doesn't work.

There is another aspect to this as well, and that is that the tax that we impose on people who cannot afford these ObamaCare plans but that they are forced to buy is a regressive tax that falls wildly disproportionately on lower and middle-income folks. In my State of Pennsylvania, 83 percent of the families who are hit with this tax live in households that earn less than \$50,000.

I urge my colleagues to reject this motion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BOOKER. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

VOTE ON MOTION TO INSTRUCT

The question is on agreeing to the motion by the Senator from Florida.

The motion was agreed to.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from New Jersey.

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 309 Leg.]

YEAS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Gillibrand	Murray	

NAYS—51

Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

NOT VOTING—2

Alexander	Franken
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The motion was rejected.

The PRESIDING OFFICER. The Senator from Michigan.

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHIP AND COMMUNITY HEALTH CENTERS

Ms. STABENOW. Mr. President, I am coming to the floor again to focus on the fact that the clock is ticking for families in Michigan and across the country—men and women, children, older people, younger people who use the community health centers, as well as those who have their children covered under the Children's Health Insurance Program. The Federal funding for those programs stopped September 30—67 days ago. We have had votes. We have had bills. We have had nominations come before us. There have been divisiveness and controversy. It would be wonderful if we could stop for 1 day and do something that has bipartisan support.

The fact is that CHIP covers 9 million children, and 100,000 of those are in Michigan. We passed a bill out of the Finance Committee in September. I want to laud our chairman, Senator HATCH, and our ranking member, Senator WYDEN. It was a bipartisan bill. There was only one "no" vote. We reported it out. I assumed we would want to get this done before September 30, when the funding ran out.

Instead, here we wait, 67 days later. There are 9 million children at risk because of this inaction—100,000 children in Michigan.

The truth is that today, thanks to CHIP and thanks to a variety of healthcare efforts across the country, 97 percent of the children in our country have access to a doctor. In Michigan, it is actually higher; it is 97 percent of our children. So if a child has juvenile diabetes, if they have a cancer or asthma or just fall out of a tree and break their arm or have bronchitis or the flu, whatever it is that is happening to children, parents have the peace of mind under the MICHild Program to know that they can take their child to a doctor whom they have a relationship with and who knows their children, instead of going to the emergency room.

We also know that emergency rooms are the most expensive way to provide care. They are necessary. They are important for emergencies but not for the daily routines of life, when someone could be seeing a doctor. It costs more; uncompensated care costs more, and when someone uses the emergency room when they could be seeing a doctor, then everyone else pays for that with their insurance rates going up.

So MICHild in Michigan and the Children's Health Insurance Program across the country work. They save money. They save lives. In fact, as soon as January, in Michigan, families are going to start to get notices that the funding will go away, that the medical care will go away. It is not a great way to start the new year: Merry Christmas. Happy New Year. Your child is not going to be able to go see their doctor anymore. We don't have to have that happen because we have strong bipartisan support for this.

It is the same thing with community health centers. Twenty-five million people are able to see a doctor or a nurse and get the care they need through a community health center in their community. There are 300,000 veterans who are able to see a doctor through a community health center, and there are 7.5 million children as well.

In Michigan, our health centers are all over the State. We have some 260 different clinics around Michigan that serve 681,000 people and, again, almost 13,000 veterans. Starting in January, they are going to begin to lose funding at different times—some in February, some in March, some in April—because of local funding streams. But starting in January, in Michigan, health centers are not going to have the funding they need. The majority of their funding—70 percent of their funding—comes through the program that expired September 30, and we know that this also doesn't have to happen.

My friend Senator ROY BLUNT and I have put in legislation. We have a letter signed by 70 Members—not 7—70 Members of this body, over two-thirds of this body signing a letter supporting the continuation of community health centers. Yet we can't get that brought up either.

We thought the original plan was to bring up CHIP, the Children's Health Insurance Program, and include community health centers with it, and get that done before September 30. The clock is ticking every single day, and it has not been done. Folks may be trying to hold it hostage politically for some reason or trying to work on some deal at the end of the year. In the meantime, families are worrying, men and women are worrying, and veterans are worrying about what is going to happen, whether or not they are going to continue to get their healthcare.

Let me go back to where I started. Today is 67 days, and tomorrow it will be 68 days since the funding for two healthcare programs that have had broad bipartisan support over the years and broad bipartisan support today—67 days since that funding has stopped.

I would like to close with a story from a gentleman named Darin, whose life was changed by one of Michigan's community health centers. He shared his story with me.

Darin was an unemployed truck-driver when he moved to Jackson, MI, 4 years ago. He hadn't seen a doctor for a decade, and, in his words, he was "a complete mess." He had diabetes, congestive heart failure, and he had no energy. He needed an oxygen tank to walk. He started seeing Dr. Roy at the Center for Family Health, which is a great health clinic in Jackson. He told her he didn't want to just be stable; he wanted to get better. So they went to work so that he could get back on his feet and get back to work.

Darin got his diabetes under control. He improved his lung function, got rid of the oxygen tank, and quit his pain pills. Darin said: